



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Angel Hernandez

Defendant.

MJ 08-3111

ORDER OF DETENTION AFTER HEARING
(18 U.S.C. § 3142(i))

I.

A. () On motion of the Government involving an alleged

1. () crime of violence;

2. () offense with maximum sentence of life imprisonment or death;

3. () narcotics or controlled substance offense with maximum sentence of ten or more
years (21 U.S.C. §§ 801,/951, et. seq.,/955a);

4. () felony - defendant convicted of two or more prior offenses described above;

5. () any felony that is not otherwise a crime of violence that involves a minor victim, or
possession or use of a firearm or destructive device or any other dangerous weapon,
or a failure to register under 18 U.S.C § 2250.

B. () On motion () (by the Government) / () (by the Court sua sponte involving)

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1. ☒ serious risk defendant will flee;

2. ☒ serious risk defendant will

a. ☐ obstruct or attempt to obstruct justice;

b. ☐ threaten, injure, or intimidate a prospective witness or juror or attempt to do so.

II.

The Court finds no condition or combination of conditions will reasonably assure:

A. ☐ appearance of defendant as required; and/or

B. ☐ safety of any person or the community.

III.

The Court has considered:

A. ☒ the nature and circumstances of the offense, including whether the offense is a crime of violence, a Federal crime of terrorism, or involves a minor victim or a controlled substance, firearm, explosive, or destructive device;

B. ☒ the weight of evidence against the defendant;

C. ☒ the history and characteristics of the defendant;

D. ☒ the nature and seriousness of the danger to any person or to the community.

IV.

The Court concludes:

A. ☒ Defendant poses a risk to the safety of other persons or the community because:

drug abuser

economic danger

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1 B. ☒ History and characteristics indicate a serious risk that defendant will flee because:

2 drug abuse

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8 C. ☐ A serious risk exists that defendant will:

9 1. ☐ obstruct or attempt to obstruct justice;

10 2. ☐ threaten, injure or intimidate a witness/ juror, because:

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17 D. ☐ Defendant has not rebutted by sufficient evidence to the contrary the presumption
18 provided in 18 U.S.C. § 3142 (e).

19 IT IS ORDERED that defendant be detained prior to trial.

20 IT IS FURTHER ORDERED that defendant be confined as far as practicable in a corrections
21 facility separate from persons awaiting or serving sentences or person held pending appeal.

22 IT IS FURTHER ORDERED that defendant be afforded reasonable opportunity for private
23 consultation with his counsel.

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26 DATED: 12/30/08

27 
28 **ROSALYN M. CHAPMAN**
UNITED STATES MAGISTRATE JUDGE

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case Number: 2:08-MJ-03111Angel Hernandez, Jr.

Defendant.

**NOTICE DIRECTING DEFENDANT TO APPEAR
FOR PRELIMINARY HEARING AND FOR
ARRAIGNMENT ON
INDICTMENT/INFORMATION**

YOU ARE HEREBY NOTIFIED AND DIRECTED to appear before United States Magistrate Judge DUTY, United States Courthouse located at:

<input checked="" type="checkbox"/> Western Division 255 E. Temple Street Courtroom <u>341, 3rd</u> Floor Los Angeles, CA 90012	<input type="checkbox"/> Southern Division 411 W. Fourth Street Courtroom _____, _____ Floor Santa Ana, CA 92701	<input type="checkbox"/> Eastern Division 3470 Twelfth Street Courtroom _____, _____ Floor Riverside, CA 92501
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at 4:30 ☐ AM / ☒ PM on 1/14/09, for your Preliminary Hearing. You are hereby directed to appear on this date unless you are informed that an indictment or information is filed against you in the U.S. District Court prior to the date set forth herein.

If an indictment or information has been filed, YOU ARE NOTIFIED AND DIRECTED to appear without further notice before United States Magistrate Judge DUTY, United States Courthouse located at:

<input checked="" type="checkbox"/> Western Division 255 E. Temple Street Courtroom <u>341, 3rd</u> Floor Los Angeles, CA 90012	<input type="checkbox"/> Southern Division 411 W. Fourth Street Courtroom _____, _____ Floor Santa Ana, CA 92701	<input type="checkbox"/> Eastern Division 3470 Twelfth Street Courtroom _____, _____ Floor Riverside, CA 92501
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at 8:30 ☒ AM / ☐ PM on 1/20/09, at which time you shall be arraigned on the indictment / information. Upon arraignment, your case will be assigned to a Judge of this Court before whom you must be prepared to appear on the same day and enter a plea.

If you have retained your own attorney, he or she must be present with you on the date ordered above. If you do not have an attorney, an attorney will be appointed to represent you at the time, provided you are without sufficient funds to retain a private attorney.

IF YOU FAIL TO APPEAR AT THE DATE, TIME AND PLACE INDICATED, YOUR PRESENT BOND WILL BE FORFEITED AND THE COURT WILL ISSUE A WARRANT FOR YOUR ARREST.

NOTE: Your case may be assigned for further proceedings in a division **different from the one indicated above**. If so, a notice will be mailed to you and your attorney; therefore, keep in close contact with your attorney so you will not waste time and effort by going to the wrong location.

Filed & Dated: 12/30/08

Clerk, U.S. District Court

By: Hana Rashad

Magistrate Judge Courtroom Deputy Clerk